



General Assembly

January Session, 2007

Substitute Bill No. 7323

* _____HB07323HS_APP032207_____*

AN ACT CONCERNING LONG-TERM CARE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2007*) (a) The Commissioner of
2 Social Services shall establish and operate a state-funded pilot program
3 to allow no more than fifty persons with disabilities (1) who are age
4 eighteen to sixty-four, inclusive, (2) who are inappropriately
5 institutionalized or at risk of inappropriate institutionalization, and (3)
6 whose assets, if single, do not exceed the minimum community spouse
7 protected amount pursuant to 42 USC 1396r-5 or, if married, the
8 couple's assets do not exceed one hundred fifty per cent of said
9 community spouse protected amount to be eligible to receive the same
10 services that are provided under the state-funded home care program
11 for the elderly established pursuant to subsection (i) of section 17b-342
12 of the general statutes. Such persons shall also be eligible to receive
13 services that are necessary to meet their unique needs in order to avoid
14 institutionalization.

15 (b) Any person participating in the pilot program whose income
16 exceeds two hundred per cent of the federal poverty level shall
17 contribute to the cost of care in accordance with the methodology
18 established for recipients of medical assistance pursuant to Sections
19 5035.20 and 5035.25 of the department's uniform policy manual.

20 (c) The annualized cost of services provided to an individual under

21 the pilot program shall not exceed fifty per cent of the weighted
22 average cost of care in nursing homes in the state.

23 (d) Not later than January 1, 2009, the Commissioner of Social
24 Services shall report, in accordance with section 11-4a of the general
25 statutes, on the pilot program to the joint standing committees of the
26 General Assembly having cognizance of matters relating to
27 appropriations and the budgets of state agencies and human services.

28 Sec. 2. (NEW) (*Effective October 1, 2007*) (a) As used in this section:

29 (1) "Assisted living services agency" means an institution that
30 provides, among other things, nursing services and assistance with
31 activities of daily living to a population that is chronic and stable.

32 (2) "Managed residential community" means a facility consisting of
33 private residential units that provides a managed group living
34 arrangement, including housing and services for persons fifty-five
35 years of age or older.

36 (b) The administrator of any managed residential community,
37 served by an assisted living services agency, shall provide to each
38 resident, at the time of admission to such residential managed
39 community and to all current residents of such community, a written
40 notice of the duties of the Office of the Long-Term Care Ombudsman,
41 in a form and manner prescribed by the State Ombudsman. Such
42 notice shall provide at a minimum: (1) A summary of the mission and
43 statutory duties of the Office of the Long-Term Care Ombudsman, and
44 (2) the name, address and telephone number of the ombudsman who
45 serves the region in which such managed residential community is
46 located. In addition, any assisted living services agency or managed
47 residential community shall post or cause to be posted in a
48 conspicuous place a notice, in a form and manner prescribed by the
49 State Ombudsman, that at a minimum contains the information
50 required by subdivisions (1) and (2) of this subsection.

51 (c) Any person who knowingly violates subsection (b) of this section

52 may be assessed a civil penalty in an amount not to exceed two
53 hundred fifty dollars. Any amount recovered shall be deposited in the
54 General Fund and credited to the appropriation to the Department of
55 Public Health and used by the department to enforce the provisions of
56 this section and to promote greater public awareness of the Office of
57 the Long-Term Care Ombudsman, and the role of residents' advocates
58 and private citizen advocacy groups.

59 (d) The Commissioner of Public Health, in consultation with the
60 State Ombudsman, shall adopt regulations, in accordance with the
61 provisions of chapter 54 of the general statutes, to implement the
62 provisions of this section.

63 Sec. 3. (NEW) (*Effective July 1, 2007*) The Commissioner of Social
64 Services shall, within available appropriations, establish and operate a
65 pilot program that will allow not more than seventy-five persons with
66 income that exceeds three hundred per cent of the federal
67 supplemental security income limit who: (1) Reside in a residential
68 care home, but are at risk for being displaced from such home because
69 of income which exceeds threshold limits, or (2) are making
70 application for residence at a residential care home to reside in such
71 home. The commissioner shall ensure that the annual per recipient cost
72 to the state for participation in the pilot program shall not exceed the
73 annual per recipient cost to the state for placement of the same
74 individuals in nursing home facilities under the Medicaid program.
75 Cost savings realized by the state through implementation of the pilot
76 program shall be used to provide health care coverage, including
77 prescription drug coverage, to pilot program participants. Not later
78 than January 1, 2009, the Commissioner of Social Services shall report,
79 in accordance with section 11-4a of the general statutes, to the select
80 committee of the General Assembly having cognizance of matters
81 relating to aging and to the joint standing committees of the General
82 Assembly having cognizance of matters relating to human services and
83 appropriations and the budgets of state agencies on such pilot
84 program.

85 Sec. 4. Subsection (c) of section 17b-242 of the general statutes is
 86 repealed and the following is substituted in lieu thereof (*Effective July*
 87 *1, 2007*):

88 (c) The home health services fee schedule shall include a fee for the
 89 administration of medication, which shall apply when the purpose of a
 90 nurse's visit is limited to the administration of medication.
 91 Administration of medication may include, but is not limited to, blood
 92 pressure checks, glucometer readings, pulse rate checks and similar
 93 indicators of health status. The fee for medication administration shall
 94 include administration of medications while the nurse is present, the
 95 pre-pouring of additional doses that the client will self-administer at a
 96 later time and the teaching of self-administration. [The] Except as
 97 provided for in this subsection, the department shall not pay for
 98 medication administration in addition to any other nursing service at
 99 the same visit. The home health services fee schedule shall allow for
 100 reimbursement for medication administration and other services that
 101 may be provided by a skilled mental health nurse to a client with a
 102 serious and persistent mental illness during the same visit.
 103 Reimbursable services provided by a skilled mental health nurse shall
 104 include, but not be limited to, psychoeducation, cognitive behavioral
 105 therapy, and symptom management techniques that assist a client to
 106 recognize and manage the effects of delusions and hallucinations. The
 107 department may establish prior authorization requirements for this
 108 service. Before implementing such change, the Commissioner of Social
 109 Services shall consult with the chairpersons of the joint standing
 110 committees of the General Assembly having cognizance of matters
 111 relating to public health and human services.

112

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	New section
Sec. 2	<i>October 1, 2007</i>	New section

Sec. 3	<i>July 1, 2007</i>	New section
Sec. 4	<i>July 1, 2007</i>	17b-242(c)

HS*Joint Favorable Subst. C/R*

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